

REMARKS

By this amendment, Claims 56 and 60 have been amended. No claims have been added or cancelled. Hence, Claims 56-63 are pending in the application.

The amendments to Claims 56 and 60 are made to correct a typographical error in the spelling of “mobile applications server” and are not made for the purposes of overcoming any cited art.

SUMMARY OF THE REJECTIONS

Claims 56-63 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated over U.S. Patent No. 6,300,947 issued to Kanevsky et al. (“*Kanevsky*”).

Claims 56-63 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated over U.S. Patent No. 6,839,744 issued to Kloba et al. (“*Kloba*”).

Applicants respectfully traverse.

AN IDS HAS BEEN FILED WITHOUT ACKNOWLEDGEMENT

Applicants respectfully note that they have not received an initialed 1449 form acknowledging the receipt and consideration of Information Disclosure Statements (the “unacknowledged IDSs”) filed on September 2, 2005 and on September 16, 2005. Applicants respectfully request a copy of an initialed 1449 form to acknowledge the receipt and consideration IDS of the unacknowledged IDSs. For the convenience of the Examiner, the unacknowledged IDSs accompany the present reply.

**ENTRY OF THE AMENDMENTS TO THE CLAIMS IS RESPECTFULLY
REQUESTED**

Claims 56 and 60 are amended herein to correct a matter of scrivener's error, specifically, to correct a typographical error in the spelling of "mobile applications server." As such, the amendments to Claims 56 and 60 do not raise any new matters of substance that have not been previously considered by the Office. Accordingly, the amendments to Claims 56 and 60 are respectfully requested to be entered.

EACH OF THE PENDING CLAIMS IS PATENTABLE OVER THE CITED ART

Each of Claims 56-63 feature one or more elements that are not disclosed, taught, or suggested by the cited art. For example, Claim 56 recites:

"receiving, at a mobile applications server, registration data from an application, wherein the registration data specifies rules about how mobile devices are allowed to interact with the application;
the mobile applications server operating as an intermediary for interactions between the mobile device and the application; and
while operating as an intermediary, the mobile applications server enforcing the rules about how mobile devices are allowed to interact with the application, wherein the application is relieved of the responsibility of enforcing the rules about how mobile devices are allowed to interact with the application."

At least the above-bolded elements are not disclosed, taught, or suggested by *Kanevsky* and *Kloba*.

The approach of Claim 56 provides a framework for a mobile device to request and receive a service from an application. The application sends registration data, which specifies rules about how mobile devices are allowed to interact with the application, to a mobile applications server. Advantageously, the application does not need to be configured with knowledge of the capabilities of the mobile device, or how to communicate with the mobile

device, because the mobile applications server operates as an intermediary for interactions between the mobile device and the application. While operating as an intermediary, the mobile applications server enforces the rules about how mobile devices are allowed to interact with the application. Thus, the application is relieved of the responsibility of enforcing the rules about how mobile devices are allowed to interact with the application.

A. *KANEVSKY*

1. The teachings of Kanevsky

Kanevsky teaches an approach for adapting the display of a web page, at a client, based on the presentation capabilities of the client. According to the approach of *Kanevsky*, a client sends a request message that requests a web page identified by a URL to a server machine (Col. 6, lines 4-20). Simultaneously with the request message, the client sends a display mode message, which identifies several characteristics or parameters of the client's display, to the server machine (Col. 6, lines 21-28). A web page server adapter 107 transforms the requested web page to adapt the requested web page with the characteristics of the client's display identified in the display mode message (Col. 7, lines 24-40). The transformed requested web page is thereafter sent to the server 104, which sends the transformed requested web page onto the client machine 100 (Col. 7, lines 42-45).

2. Kanevsky fails to teach numerous elements of Claim 1.

Claim 56 features the element of "the mobile applications server operating as an intermediary for interactions between the mobile device and the application." To show this element, the Office Action cites (a) the server 104, (b) Col. 7, lines 5-9, which states that a display mode message may reside in cookies, (c) a display 113, and (d) Col. 11, lines 56-64, which discusses what information a cookie may contain. Importantly, the position of the Office

Action requires that the same subject matter, namely server 104, be analogous to both the mobile applications server and the application as featured in Claim 56. However, Claim 56 requires that the **mobile applications server and the application be separate and distinct entities** since “the mobile applications server [operates] as an intermediary for interactions between the mobile device and the application.” Thus, the position of the Office Action requires that server 104 operates as an intermediary for interactions between the mobile device and itself. An entity cannot act as an intermediary for itself. As a result, this element cannot be disclosed, taught, or suggested by *Kanevsky*.

In the same Office Action, but concerning the first step of Claim 56, the Office Action argued that web browser 101 of *Kavensky* could be analogous to an application as claimed in Claim 56. However, under this interpretation, *Kavensky* still fails to show this element of “the mobile applications server operating as an intermediary”, because nothing (including server 104) acts an intermediary between display 113 (i.e., the alleged mobile device) and web browser 101 (i.e., the alleged application) in the teachings of *Kavensky*.

Claim 56 also recites “while operating as an intermediary, the mobile applications server enforcing the rules about how mobile devices are allowed to interact with the application, wherein the application is relieved of the responsibility of enforcing the rules about how mobile devices are allowed to interact with the application.” The Office Action identifies Col. 7, lines 10-40 in *Kavensky* to show this element. However, this portion of *Kavensky* merely discusses the process of sending a request message for a web page and the web page being transformed before it is sent to the initial requester.

The Office Action, as previously mentioned, relies upon server 104 to show a mobile application server. Thus, to satisfy the features of Claim 56, the position of the Office Action requires that server 104 “enforce the rules about how mobile devices are allowed to interact

with the application” where the rules are specified in registration data sent by an application. In sharp contrast, *Kanevsky* lacks any teaching or suggestion that server 104 enforces any rules, much less rules about how a mobile device is allowed to interact with an application. Instead, the server 104 merely acts as a recipient and forwarder of requests and a recipient and forwarder of responses.

To illustrate, instead of showing the claimed features of the mobile applications server, *Kavensky* teaches that server 104 is operatively coupled to web sites 105 and 106 and a web page adaptor 107 (col. 5, lines 1-3). Server 104 receives a request message 102, from a client machine 100, and directs the request message 102 to the appropriate web server (col. 7, lines 10-12) to retrieve a web page. The web page (e.g. from web site 106) is sent to server 104 and forwarded to web page adaptor 107 to be transformed according to a display mode message 103 (also sent from client machine 100) (col. 7, lines 16-19). The transformed web page from the web server adaptor 107 is sent to server 104 and forward to client machine 100 (col. 7, lines 42-44). However, the above activity performed by server 104 is not analogous to enforcing any rules, let alone enforcing rules about how a mobile device is allowed to interact with an application. If the Office disagrees, the Office is respectfully requested to particularly identify the set of rules server 104 is enforcing about how mobile devices are allowed to interact with the application.

Consequently, the element of “while operating as an intermediary, the mobile applications server enforcing the rules about how mobile devices are allowed to interact with the application, wherein the application is relieved of the responsibility of enforcing the rules about how mobile devices are allowed to interact with the application” cannot be disclosed, taught, or suggested by *Kanevsky*.

As at least one element recited in Claim 56 is not disclosed, taught, or suggested by *Kanevsky*, it is respectfully submitted that Claim 56 recites at least one element that is not disclosed, taught, or suggested by the cited art. Consequently, it is respectfully submitted that Claim 56 is patentable over *Kanevsky* and is in condition for allowance.

Claim 60 recites elements similar to that of Claim 56, except that Claim 60 is recited in machine-readable medium format. Consequently, for at least the reasons given above with respect to Claim 56, it is respectfully submitted that Claim 60 is patentable over the cited art and is in condition for allowance.

Claims 57-59 and 61-63 are dependent claims, each of which depends (directly or indirectly) on one of the claims discussed above. Each of Claims 57-59 and 61-63 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 57-59 and 61-63 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

B. *KLOBA*

1. *Teachings of Kloba* (should italics be reversed)

Kloba teaches an approach for enabling web content to be loaded on mobile devices and for users of mobile devices to operate with such web content in an interactive manner while in an off-line mode (Abstract and Summary).

2. *Kloba fails to teach "receiving...registration data from an application"*

Claim 56 features the element of "receiving, at a mobile applications server, registration data from an application, wherein the registration data specifies rules about how mobile devices

are allowed to interact with the application.” To show this element, the Office Action cites (a) a data processing environment 102, (b) Col. 29, lines 6-9, which briefly discusses a client registration process, (c) Col. 23, lines 1-44, which states that state information pertaining to a client 108 is cached on a server 104, and (d) Col. 6, lines 3-36, which states that a server contains logic for optimizing content by considering many factors of the client, such as memory, synchronization properties, and screen size.

The position of the Office Action requires that the mobile applications server as claimed in Claim 56 be analogous to data processing environment 102 of *Kloba*. However, the data processing environment 102 of FIG. 1A merely includes a server 104, one or more devices 106, one or more adaptors 118, and one or more providers 128 (col. 7, lines 10-16). However, *Kloba* lacks any teaching that data processing environment 102 either a) receives registration data as claimed or b) operates as an intermediary for interactions between a mobile device and an application. Indeed, it is entirely unclear, based on *Kloba*’s teachings, how data processing environment 102 could possibly operate as an intermediary for interactions between a mobile device and an application.

Assuming, *arguendo*, that the Office Action intended to imply that server 104 of *Kloba* is analogous to the mobile applications server as featured in Claim 56, this comparison would still fail to show “receiving, at a mobile applications server, registration data from an application...” To see how, the Office Action cited Col. 29, lines 6-9 as teaching “receiving...registration data from an application.” That section of *Kloba* states:

In one embodiment, the invention includes a client registration process that includes GUI elements for the capture and configuration of client details and preferences.

Kloba further states that “the invention registers a user [with] the Web site of server 104” (col. 29, lines 14-15). However, Col. 29 fails to teach or suggest that the data provided in

the registration process “specifies rules about how mobile devices are allowed to interact with the application,” as recited in Claim 56.

Furthermore, this citation (i.e., Col. 29, lines 6-9) requires that the application as claimed in Claim 56 be analogous to client 106 or client 108 of *Kloba*. However, **nothing in *Kloba* can then be analogized with the mobile devices** as claimed of Claim 56. Doing so would result in the mobile devices of Claim 56 being read as both the mobile devices and as an application because *Kloba* states that mobile devices are client 106 and/or client 108 (col. 10, lines 30-32; col. 8, line 19). Thus, if the mobile applications server is analogized with the server 104, then it is unclear whether anything in *Kloba* can be analogized with the application of Claim 56. Consequently, it is respectfully submitted that this element cannot be disclosed, taught, or suggested by *Kloba*.

3. *Kloba fails to teach “the mobile applications server operating as an intermediary for interactions between the mobile device and the application”*

Claim 56 features the element of “the mobile applications server operating as an intermediary for interactions between the mobile device and the application.” To show this element, the Office Action cites (a) Col. 5, lines 55-64, which discusses a synchronization process between a mobile device and a server, (b) Col. 6, lines 3-36, which states that a server contains logic for optimizing content by considering many factors of the client, such as memory, synchronization properties, and screen size, and (c) FIG. U (presumably FIG. 1U).

Specifically, the Office Action cites FIG. 1U and Col. 6, lines 6-36 for teaching “interactions between the mobile device and the application.” However, the only description that *Kloba* provides for FIG. 1U is “FIG. 1U illustrates the concept of the invention of placing objects on data processing devices, such as mobile devices.” FIG. 1U shows two entities: a

“network/internet content” entity and a “mobile device” entity. Thus, the position of the Office Action analogizes the application of Claim 56 with “network/internet content” of FIG. 1U. This analogy does not meet the features of Claim 56 because, according to Claim 56, **registration data is received from an application** at the mobile applications server. **No where does *Kloba* suggest that the server 104 of *Kloba* receives registration data from the network or internet content.** If the Office Action is suggesting that the registration data is from the network in the sense that the mobile device places the registration data on the network which forwards the data to the server, then the mobile device of *Kloba* is performing double duty as both the application of Claim 56 and the mobile devices of Claim 56. Therefore, the application as claimed in Claim 56 cannot be analogous to the “network/internet content” of FIG. 1U of *Kloba*.

If the Office disagrees, the Office is respectfully requested to particular identify the subject matter in *Kloba* that is allegedly analogous to (a) a mobile device, (b) a mobile applications server, and (c) an application.

4. *Kloba fails to teach “while operating as an intermediary, mobile applications server enforcing the rules about how mobile devices are allowed to interact with the application...”*

Claim 56 features the element of “while operating as an intermediary, the mobile applications server enforcing the rules about how mobile devices are allowed to interact with the application, wherein the application is relieved of the responsibility of enforcing the rules about how mobile devices are allowed to interact with the application.” To show this element, the Office Action cites (a) FIG. U (i.e. FIG. 1U), (b) Col. 6, lines 3-36, (c) Col. 23, lines 5-7 and (c) Col. 5, lines 55-64.

Col. 23, lines 5-7 states, “In step 174A, the client 108 accesses a provider 128 via the server 104.” This citation is part of the section of *Kloba* that mentions that state information, based on communications between the client 108 and the provider 128, is stored on the server 104, rather than on client 108 since “functionality to process and maintain such state information...may not be optimal in some situations where the resources of the device 106 are limited, such as when the device 106 is a handheld computer” (col. 22, lines 63-67). Presumably, based on this citation, the Office Action is analogizing the mobile applications server with the server 104 of *Kloba* and the application with the provider 128 of *Kloba*. However, this analogy also fails because ***Kloba* does not teach or suggest anywhere that the server 104 receives registration data (as claimed) from the provider 128**, as the first step in Claim 56 would require. Consequently, it is respectfully submitted that *Kloba* cannot disclose, teach, or suggest this element.

In view of the above fundamental differences between the features of Claim 56 and *Kloba*, it is respectfully submitted that Claim 56 recites at least one element that is not disclosed, taught, or suggested by the cited art. Consequently, it is respectfully submitted that Claim 56 is patentable over *Kloba* and is in condition for allowance.

Claim 60 recites elements similar to that of Claim 56, except that Claim 60 is recited in machine-readable medium format. Consequently, for at least the reasons given above with respect to Claim 56, it is respectfully submitted that Claim 60 is patentable over *Kloba* and is in condition for allowance.

Claims 57-59 and 61-63 are dependent claims, each of which depends (directly or indirectly) on one of the claims discussed above. Each of Claims 57-59 and 61-63 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 57-59 and 61-63 introduces one or more additional limitations that independently

render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

IV. CONCLUSION


For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

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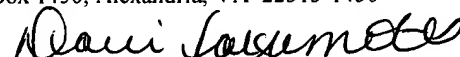
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on June 29, 2006

by


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